

PROB 12B
(SD/FL 9/96)

SD/FL PACTS No. 33044

Applegate, David

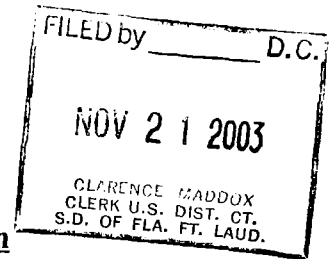
Docket No. 00-6241-CR-Zloch

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 00-6241-CR-Zloch

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)



Name of Offender: David Edwin Applegate

Name of Sentencing Judicial Officer: The Honorable William J. Zloch, Chief U.S. District Court Judge, Fort Lauderdale, Florida

Date of Original Sentence: February 8, 2001

Original Offense: Dealing in Counterfeit Obligations of the United States, in violation of Title 18, U.S.C. §473, a Class "C" felony.

Original Sentence: Eighteen (18) months custody of the Bureau of Prisons, followed by three (3) years supervised release. The following Special Conditions were imposed: (1) the defendant shall participate in an approved treatment program for drug and/or alcohol abuse as directed by the U.S. Probation Office. Participation may include in-patient/out-patient treatment, if deemed necessary. The defendant will contribute to the cost of services rendered (co-payment) in an amount determined by the probation officer, based on ability to pay or availability of third party payment; (2) the defendant shall maintain full time, legitimate employment and not be unemployed for a term of more than 30 days, unless excused in writing by the probation officer. Further, defendant shall provide documentation including, but not limited to, pay stubs, contractual agreements, W-2 wage and earning statements and any other documents requested by the U.S. Probation Office; (3) the defendant shall submit to a search of his person or property conducted in a reasonable manner and at a reasonable time by the U.S. Probation Officer; and (4) the defendant shall not incur any further debt included to, but not limited to, loans, lines of credit, credit card charges, either as a principal or co-signer, as an individual or through any corporate entity without first obtaining prior written permission from the U.S. Probation Office.

Type of Supervision: Supervised Release

Date Supervision Commenced: November 29, 2001

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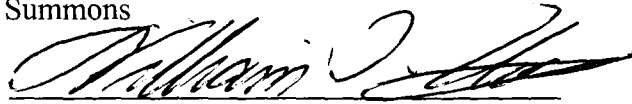
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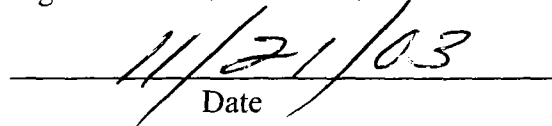
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THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Submit a Request for _ Warrant or _ Summons



Signature of Judicial Officer



Date

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PETITIONING THE COURT

[X] To modify the conditions of supervision as follows:

“THE DEFENDANT SHALL COMPLETE 50 HOURS OF COMMUNITY SERVICE WORK AT A SITE APPROVED BY THE UNITED STATES PROBATION OFFICE.”

CAUSE

VIOLATION OF MANDATORY CONDITION, by unlawfully possessing or using a controlled substance. On or about October 28, 2003, the supervised releasee submitted a urine specimen to the U.S. Probation Office, which tested positive for the presence of Cocaine at our local laboratory and was subsequently confirmed positive by PharmChem Laboratories, Incorporated.

Mr. Applegate has agreed to modify his supervised release to include 50 hours of community service work at a site approved by the United States Probation Office. He has been advised that any further non-compliance of the conditions of supervision will result in a request for further action by the Court. He has been sanctioned to report to the U.S. Probation Office and submit to urinalysis testing two times per week for a period of 60 days. After the sanction is complete, the defendant will be placed on the Code-A-Phone program for a period of four months.

Please find attached Probation Form 49, Waiver of Hearing, for Your Honor's review. If Your Honor is in agreement with the Modification, please indicate below.

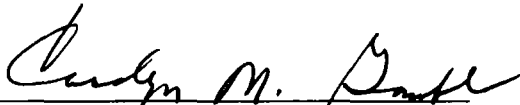
Respectfully submitted,

by



John E. Minnelli
U.S. Probation Officer
Phone: (954) 769-5536
Date: November 18, 2003

Reviewed by: _____



Carolyn M. Gamble, Supervising
U.S. Probation Officer
